

YOUNG LONG DRAWN OUT

Eddie Tells How His Father Was Shot
By Rule.

TALES THAT DIDN'T TALLY

The Widow of the Murdered Man
Tells the Story of the Tragedy—Part the Women
Played.

BUTTE, March 12.—The cross-examination of Eddy Long, in the Rule murder case, was resumed at the opening of court this morning. Mr. Haldorn asked him if he remembered testifying in the lower court that he saw Rule cock his pistol after the first shot. He did not remember so testifying until the testimony was read to him. The boy's testimony in the lower court was that Rule came around the east end of the house and passed within three feet of the elder Long when the first shot was fired. If he did so testify, he said this morning it was a mistake, and that Rule came around the east corner and was 30 feet away when he shot. He also said that when he testified in the lower court that there elapsed only three seconds between the first and second shots he was mistaken, and that the time really was about half a minute. The muzzle of the revolver was about two or three feet from Long. In the lower court the witness said Rule was only a foot from Long when he shot the second time. In speaking about the length of the porch, the witness said Mr. Haldorn ought to know, as he had measured it.

Mr. Haldorn denied ever having been on the scene of the tragedy and demanded to know what excuse the witness had for making such a statement. The state objected, and Haldorn said the boy was saying something he knew to be untrue.

"It is in keeping with the rest of his testimony," said the attorney, and Mr. Baldwin made another objection.

The court said the witness would have to explain, since he opened the subject, and the boy said some one told him that somebody had measured the porch, but no names were mentioned, and no one said that Haldorn measured it. He could not remember who made the remark.

Young Long then also contradicted his former testimony in that he passed behind Steinborn when the second shot was fired, to grab Rule. Mr. Haldorn asked the witness if he remembered testifying that he and his mother went to Steinborn's on business, and not after Mrs. Rule. He did not remember so testifying, and he did not remember saying that his father had business with Steinborn. He said the business they had was to see Mrs. Rule. The statement he made that Rule was east of Long when the first shot was fired was a mistake, as he was west; it was a mistake that his father was facing east when shot, and he did not remember saying that Rule was in front of Long when he fired the first shot. The witness said he must have had the points of the compass, the different shots and the position of the parties to the shooting all mixed and turned around when he was testifying before the committing magistrate.

The state up to this point had put in about a dozen objections. The defense then presented a new diagram of the scene of the tragedy and wanted the witness to mark upon it the positions of the different characters. Baldwin objected to any new maps, and said that the one used in the lower court should be sufficient. Haldorn replied that a new plat was for the purpose of giving the witness an opportunity to designate upon it the points, in keeping with his changed testimony, but that if the state did not wish to put in a new map, the defense was willing to use the old map as the boy's testimony, and the new one was withdrawn.

The tilts between the attorneys were frequent and exciting, and the court usually had to interfere to restore order. Mr. Campbell answered several questions for the witness and Haldorn "called him down." The witness said he did not hear Steinborn protest against the two Longs jumping on Rule. It was after dusk when the shooting took place. When he grappled with Rule they rolled off the porch, and the elder Long remained on the porch. When the witness saw that his father was not going to help him he let go of Rule and ran away. He looked back after running a distance and saw Rule raise his hand as if to shoot at him (the witness) and he heard the shot. Young Long said there has been some ill feeling between his family and the Rules for a long time, and had heard that his mother had pointed a revolver at Rule about a year ago. He never heard his father say just before his death that "all this is brought on by you," referring to Mrs. Long.

"Did your father say just before his death, to his nurse, that Joe Rule had never intended to hurt him?"

"He did not say anything of the kind."

"Did you say to your father, while he was suffering from his wound, whether you should revenge him?"

After a number of objections the witness was permitted to reply.

"Yes, I asked him if I should get revenge, and he said 'No, let justice be done.'"

"Who was present at the time?"

The witness named several persons and the state got in a number more objections as to the alleged improper cross-examination.

"Did your father say just before he died that he did not blame Joe Rule for the shooting?"

More objections and long arguments with a presentation of authorities by the defense to show the propriety of showing that the injured man said the defendant was held blameless by him and exonerating him.

The court held that it was not proper cross-examination and should be put in by the defense to which ruling the defense took an exception.

Haldorn then tried to have the witness confess that he had talked to his mother last night about his testimony, but he said he had not mentioned a word of it. He read the papers to his mother this morning, and after he had read his testimony she told him to be careful and not let Haldorn get him excited.

On redirect examination the witness said he meant by the word "business" the object which took him to Steinborn's. He had never seen the typewritten testimony taken in the lower courts, and did not know whether it was correct or not. It was never read to him, and he did not sign it. The reason he took hold of Rule after the second shot was fired was for the purpose of assisting his father. The third shot was fired at the witness while he was running away and was about 10 feet from Rule.

Young Long said he met Mrs. Rule on the day of the shooting in front of Goldsmith's on Main street. She followed him up street and coughed at him and called him a name, after which he told her she looked like a Chinaman. She then said his father didn't pay his debts, and called the boy a bastard. He then went home and told his mother and the two sisters after Mrs. Rule. Not a word was spoken and they did not force her to seek refuge

in the Steinborn house, and she probably went in there because she was afraid to meet Mrs. Long. The Longs and Rules were acquainted with each other for about four years.

Haldorn then got in several more questions and wanted to know how often Mrs. Rule coughed at him, but he did not know, and he also said that he did not try to walk away from Mrs. Rule while she was coughing at him and calling him names.

The shirt worn by Long when shot is in the possession of Mrs. Long, said the witness in reply to a question from Campbell. It had been in her possession all the time, except when he was ordered to bring it into court by the defense, but which was not used by them in evidence. The witness did not see the garment when it was taken from his father, but saw it in the wood shed soon after. He didn't believe there was any powder burns around the bullet hole in the shirt. He did not know why Mr. Haldorn did not put the shirt in evidence after he had examined it. He didn't know where the shirt is now.

In reply to Haldorn the witness said he did not know what became of the shirt worn by Long over the one brought into court. He did not examine the shirt for powder burns, but said Haldorn did because he smelled of it. The witness also said that Haldorn was examining it for a bullet hole, and upon being pressed for an explanation as to his knowledge of Haldorn's purpose, the witness said he knew the attorney was looking for a bullet hole because he smelled of the shirt and held it up to the light.

That concluded the young man's testimony, and his mother, Mrs. Long, was called to the witness stand. She said she had been married to the late Mr. Long for 22 years, and that her son, Eddy, was 18 years old. In coming down to the day of the tragedy she said that when she reached the Steinborn house on the evening of Dec. 5 the first person she met was Mr. Steinborn himself. She went down to see Mrs. Rule, and after she got on the porch Mr. and Mrs. Steinborn came out and she asked them where Mrs. Rule was and they informed her that she was in the house, but asked her, Mrs. Long, to go home as they did not want any fuss there. Mrs. Long then turned to go when Long appeared and shook hands with Steinborn. Rule then came on the scene with a pistol and asked, "where is the ——" and shot at Long. The witness did not know where Rule came from. After the first shot he came around the porch and shot again. No shots were fired on the porch, and Rule did not get on the porch until after the third shot was fired. She did not expect the first shot and thought Rule would have been the last man to shoot Long. She became so excited that she hardly knew what happened after that.

"Do you know who fired that shot?"

"Yes, Joseph Rule fired it."

"When did you first become aware that your husband was shot?"

"When we got down off the porch and started home, he said, 'Lizzie, take me home, I am shot.'"

The witness said that her husband had on only one shirt when shot, and that was a red flannel undergarment. He was on the point of changing his clothes when the sounds of the coming battle reached him. She could easily recognize anything her husband ever wore. He had on no coat or vest when shot. Mrs. Rule was not visible during the shooting, except when Mrs. Long first put in her appearance on the porch, at which time she was standing behind Mrs. Steinborn inside the door and said: "There is the dirty thing now," referring to Mrs. Long.

"Did your husband make any demonstrations toward Rule before the first shot was fired?"

"He did not."

"Did your husband exhibit any weapons?"

"I never knew him to carry any weapon and am positive he had none that night."

"What did your husband say when he first came on the scene?"

"He said, 'You had better come home.'"

"Why did he stay any longer there?"

"He shook hands with Steinborn and stopped to talk. I was surprised that he should do so, as he never made friends with anyone or shook hands."

Cross-examination by Mr. Haldorn.

"Did you see your husband punch Mr. Rule in the face at the time of the shooting?"

"No, I did not; and if he did it was after the second shot, as before that he was standing by my side."

Later the witness said that when the second shot was fired, and her husband wounded, the latter jumped off the porch and struck Rule in the face, while Eddy Long was running away. She was positive that Eddy Long did not have hold of Rule when Long was striking him, and in that she contradicted Eddy's testimony.

The diagram was brought out again and Mrs. Long located upon it as best she could the places where the principals to the tragedy were standing. Cross questions were fired at the woman so fast that she became tired and relieved her feelings with tears.

"Do you remember saying in the lower court that Rule came around to the east end of the house?"

"No, I did not say so, for I don't know where he came from, and didn't see him until he called Mr. Long a —"

Mr. Haldorn read from her former testimony, in which she said that she and her husband and son had turned around to go home when Rule came around the east end of the house, but she denied ever having testified to that.

At 4 o'clock, and before the cross-examination of Mrs. Long was completed, court adjourned until Monday morning. By consent of the attorneys the jury was permitted to occupy two rooms in the court house over Sunday.

Whether school does or not keep the Union Pacific Railway company will continue to do business at the old stand and will sell excursion tickets as usual, on the 15th of each month, to California and Utah points. Don't wait until the 16th, because you will lose an opportunity to secure a cheap ticket. The journey need not be commenced on the 15th.

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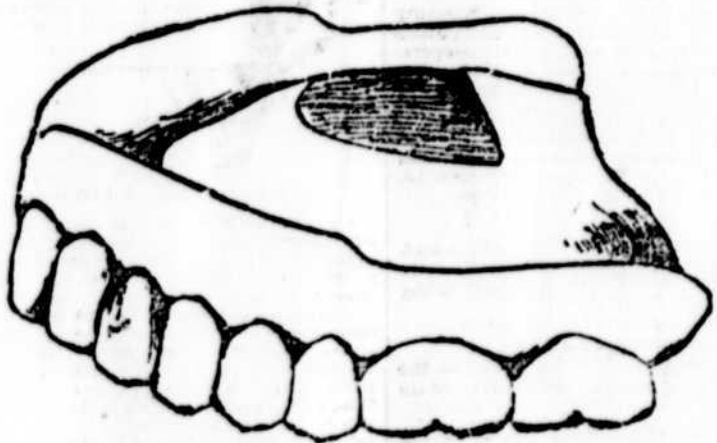
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